

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

1 Feb 07, 2024
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SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CARRIE A.¹

9 Plaintiff,

10 v.

11 MARTIN O'MALLEY,
12 COMMISSIONER OF SOCIAL
SECURITY,

13 Defendant.

NO: 2:23-cv-00278-LRS

14 ORDER GRANTING STIPULATED
MOTION FOR REMAND

15 BEFORE THE COURT is the Defendant's Stipulated Motion for Remand,
16 ECF No. 11. Based on the stipulation of the parties, the Court finds good cause to
17 grant the motion. Accordingly, pursuant to the stipulation, **IT IS HEREBY**

ORDERED:

- 18 1. Defendant's Stipulated Motion for Remand, **ECF No. 11** is **GRANTED**.

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21 ¹The court identifies a plaintiff in a social security case only by the first name and
last initial in order to protect privacy. *See* LCivR 5.2(c).

- 1 2. This case is **REVERSED** and **REMANDED** for further administrative
2 proceedings pursuant to sentence four of 42 U.S.C. § 405(g).
3 3. On remand, the ALJ shall take action to complete the administrative record,
4 offer the claimant the opportunity for a hearing, and issue a new decision.
5 The ALJ shall discuss the supportability and consistency of the opinion of
6 Susan Burke, Psy.D. The ALJ shall also, as necessary: reconsider the
7 claimant's impairments at steps two and three; reconsider the claimant's
8 subjective statements; reconsider the nonmedical evidence; reconsider the
9 medical opinion evidence; reconsider the claimant's residual functional
10 capacity; and reconsider the claimant's ability to work at steps four and five.
11 4. Upon proper presentation, this Court will consider Plaintiff's application
12 for costs, expenses, and reasonable attorney's fees under the Equal Access to
13 Justice Act, 28 U.S.C. § 2412(a), (d).
14 5. Plaintiff's opening brief, **ECF No. 7**, and the hearing and remaining briefing
15 schedule are **VACATED** as moot.

16 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
17 Order and provide copies to counsel. Judgment shall be entered for Plaintiff and
18 the file shall be **CLOSED**.

19 **DATED** February 7, 2024.

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21 _____
 LONNY R. SUKCO
 Senior United States District Judge